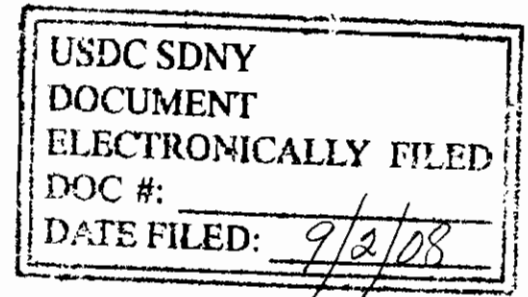


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----x
ELLEN ERVIN,

Plaintiff(s), 08 Civ. 5707 (LAP) (DFE)
This is an ECF case
SCHEDULING ORDER

- against -
LYNDON S. BROOKS
and ELRAC INC.,
Defendant(s).

-----x
DOUGLAS F. EATON, United States Magistrate Judge.

1. Any motion for leave to amend the pleadings or to add parties must be served and filed by 11/30/08.

2. All fact discovery must be commenced in time to be completed by 12/31/08. The depositions of Mr. Brooks and of a knowledgeable employee of Elrac shall be completed by 10/31/08.

3. Any proposed expert witness who falls within the words of Rule 26(a)(2)(B) must serve a report in strict compliance with that Rule -- plaintiff's experts by 1/31/09, defendants' experts by 2/28/09. These are also the deadlines for identifying any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. All expert discovery must be commenced in time to be completed by 3/31/09.

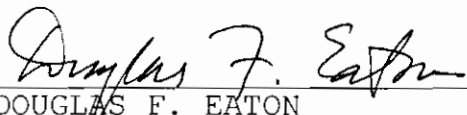
4. Any dispositive motion must be addressed to Judge Preska and must be served and filed by 4/30/09. If the District Judge requires a pre-motion conference, then this is the deadline to request such a conference.

5. If (and only if) no dispositive motion has been made, the joint pre-trial order, in a format that complies with the trial Judge's individual rules, must be filed by 5/30/09 ; Plaintiff must serve her sections of the pre-trial order by 5/8/09; defendants must serve their sections by 5/18/09.

6. None of these deadlines will be extended except upon a showing of good cause. Any request for an extension must be made, by fax and by mail, at least one week before the deadline in question, and must state the other parties' positions concerning the proposed alternative date.

7. I will not "so order" any consent adjournment unless it complies with Paragraph 6 and tells me in writing the factual basis for the "good cause."

8. Pursuant to Rule 16(f), I may impose sanctions, including attorney's fees, if a party or a party's attorney fails to obey this scheduling order.



DOUGLAS F. EATON
United States Magistrate Judge

Dated: New York, New York
September 2, 2008